

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	Case No. CIV-19-336-G
)	
LAFORGE & BUDD CONSTRUCTION)	
COMPANY, INC.)	
Defendant.)	

**DEFENDANT’S NOTICE TO WITHDRAW MOTION FOR PRESERVATION OF
EVIDENCE AND MEMORANDUM IN SUPPORT [DOC. NO. 11] WITHOUT
PREJUDICE**

NOW COMES Defendant LaForge & Budd Construction Company, Inc., (“L&B”) by and through their undersigned counsel of record, in the entitled and numbered cause, and hereby withdraws, without prejudice to refiling, its *Motion for Preservation of Evidence and Memorandum in Support* [Doc. No. 11], filed October 11, 2019 (the “Motion”).

WHEREFORE, L&B requests that the Court approve an order approving the withdrawal of the Motion without prejudice to refiling it if necessary [Doc. No. 11].

Respectfully submitted,

/s/ Spencer F. Smith

M. Richard Mullins, OBA No. 13329
Spencer F. Smith, OBA No. 20430
MCAFEE & TAFT A PROFESSIONAL
CORPORATION
10th Floor, Two Leadership Square
211 N. Robinson
Oklahoma City, OK 73102
Telephone: (405) 235-9621

Facsimile: (405) 235-0493
richard.mullins@mcafeetaft.com
spencer.smith@mcafeetaft.com

***ATTORNEY FOR DEFENDANT, LaFORGE
& BUDD CONSTRUCTION COMPANY INC.***

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2019, I filed the attached document with the Clerk of Court. Based on the records currently on file in this case, the Clerk of Court will transmit a Notice of Electronic Filing to those registered participants of the Electronic Case Filing system.

Ronald R. Gallegos,
Don Evans,
Office of the United States Attorney
Western District of Oklahoma
210 Park Avenue, Suite 400
Oklahoma City, OK 73102
ron.gallegos@usdoj.gov
don.evans@usdoj.com
***COUNSEL FOR PLAINTIFF
UNITED STATE OF AMERICA***

/s/ Spencer F. Smith
Spencer F. Smith